

ESTTA Tracking number: **ESTTA119402**

Filing date: **01/12/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Haggar Clothing Co.		
Entity	Corporation	Citizenship	Nevada
Address	11511 Luna Road Dallas, TX 75234 UNITED STATES		

Attorney information	Priscilla L. Dunkel Baker Botts L.L.P. 2001 Ross Avenue Suite 600 Dallas, TX 752012980 UNITED STATES priscilla.dunkel@bakerbotts.com, valerie.verret@bakerbotts.com, daltmdept@bakerbotts.com Phone:214.953.6618
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**Registration Subject to Cancellation**

Registration No	2507899	Registration date	11/13/2001
Registrant	D&L, Inc. 913 North Market Street, Suite 407 Wilmington, DE 19801 UNITED STATES		
Goods/Services Subject to Cancellation	Class 035. First Use: 1999/10/09 , First Use In Commerce: 1999/10/09 Goods/Services: RETAIL STORE SERVICES FEATURING MEN'S CLOTHING AND ACCESSORIES		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	SUIT UP Pet to Cancel.pdf ( 2 pages )(66095 bytes )
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Signature	/Priscilla L. Dunkel/
Name	Priscilla L. Dunkel
Date	01/12/2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HAGGAR CLOTHING CO.

Petitioner,

vs.

TMW MARKETING COMPANY, INC.

Respondent.

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Cancellation No. \_\_\_\_\_

Mark: SUIT UP

Registration No. 2,507,899

Issued November 13, 2001

Trademark Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**PETITION TO CANCEL**

TO THE TRADEMARK TRIAL AND APPEAL BOARD:

HAGGAR CLOTHING CO., a Nevada corporation, located and doing business at Two Colinas Crossing, 11511 Luna Road, Dallas, Texas 75234, believes it will be damaged by Registration No. 2,507,899 as it relates to services in Class 35 (“retail store services featuring men’s clothing and accessories”), and hereby petitions to cancel the registration for the mark SUIT UP for these services.

As grounds therefor, it is alleged that:

1. Petitioner has a bona fide intent to use the mark SUIT UP SYSTEM in connection with goods in International Class 25 including clothing and accessories, has filed an intent-to-use application to register the mark, and believes registration of the mark will be refused in view of Respondent’s existing registration.

2. Registration No. 2,507,899, sought to be cancelled, is for the trademark SUIT UP, and is registered for use in connection with "retail store services featuring men's clothing and accessories."

**First Grounds for Cancellation: Abandonment**

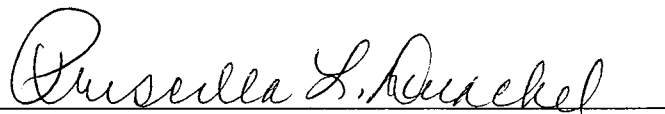
3. Petitioner hereby incorporates and realleges the allegations contained in Paragraphs 1-2 of this Petition for Cancellation.

4. On information and belief, Petitioner states that Registrant has abandoned the mark protected by Registration No. 2,507,899, as evidenced by the discontinuance of use of the mark by the Registrant coupled with an intent not to resume use of the mark.

WHEREFORE, Petitioner deems that it is or will be damaged by Registration No. 2,507,899 in International Class 35, and petitions for cancellation thereof in International Class 9.

This Petition to Cancel is being submitted through the Electronic System for Trademark Trials and Appeals (ESTTA). Please charge the requisite \$300.00 fee and any additional fees required to Deposit Account No. 50-2147 of Baker Botts.

Respectfully submitted this the 12th day of January, 2007,



Priscilla L. Dunckel

Valerie Verret

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ATTORNEYS FOR PETITIONER  
HAGGAR CLOTHING CO.